

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
**Zucherman, et al.**

Serial No.: **10/790,651**

Filed: **March 1, 2004**

For: **Method for Lateral Implantation of  
Spinous Process Spacer**

Docket No: **5910-168**

PATENT PENDING

Examiner: Mr. Jerry L. Cumberledge

Group Art Unit: 3733

Confirmation No.: 9758

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
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**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

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5 March 2009

Date

Cora Fedornock

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- ☒ electronically submitted via EFS-Web

**RESPONSE TO FINAL OFFICE ACTION**

This paper is being filed in response to the Final Action mailed 8 January 2009.

Reconsideration is respectfully requested in light of the amendments and/or remarks below. While no fees should be required for entry of this response, if any fees or charges are required, the Commissioner is hereby authorized to charge them to Deposit Account 18-1167.